

Remarks

Upon entry of this amendment, claims 46–55 will be pending. By this amendment, claims 46 and 51 have been amended, and claims 54–55 have been added. No new matter has been added.

Applicant respectfully requests entry of the amendment and reconsideration of the pending claims in view of the above amendment and the following remarks.

§ 103 Rejection of Claims 2 and 3

On page 2 of the Office Action of July 27, 2006 (hereinafter referred to as “the Office Action”), claims 46–47 and 49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gong et al. (U.S. Patent No. 6,683,737; hereinafter referred to as “Gong”) in view of Gill et al. (U.S. Patent No. 6,469,854; hereinafter referred to as “Gill”).

In the Summary section of the Specification, it is stated that “a need has arisen for improved techniques for minimizing the effects of airborne contaminants in information storage systems. One form of the invention relates to an information storage system which includes an information storage medium and structure operable to effect information transfers with respect to the information storage medium. This form of the invention involves: monitoring a characteristic of information read by the structure from the storage medium, including determining whether the characteristic satisfies a predetermined criteria; and responding to a determination that the characteristic fails to satisfy the predetermined criteria by carrying out a course of action which includes a selected action that reduces the likelihood of non-recoverable errors in data read by the structure from the storage medium.” *Specification, page 5, lines 2–18.*

For example, claim 46, as amended herein, provides a method of operating an information storage system, the method comprising:

positioning the read head to a first position where no user data is stored proximate a storage media;

comparing a value of an evaluation parameter to a predetermined level;

initiating a head cleaning when the evaluation parameter exceeds the predetermined level; and

positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level.

(emphasis added)

Accordingly, in one aspect of the present invention, when an evaluation parameter does not exceed a predetermined level, the read head is positioned to a second position over a reserved track. As stated in the Specification, “with reference to block 161 in FIG. 2, the control circuit 110 causes the actuator 56 to move the arm 57 until the head 62 is aligned with the reserved track 28 at the radially inner portion of the disk 21. One reason that the track 28 is located near the radially inner portion of the disk 21 is that, in a typical zone recording scheme, the track 28 has the highest data storage density, and thus will tend to have the highest susceptibility to errors.” *Specification, page 18, line 28 to page 19, line 4.* (emphasis added)

The Office Action states that “Gong et al. does not explicitly teach wherein the head is cleaned if the error exceeds the predetermined level. This limitation is taught by Gill et al., wherein it teaches cleaning the head if errors are detected in Col. 5, L.39-46 and Col. 6, L. 14-16.” *Office Action, page 2, lines 20-22*. However, neither Gong nor Gill teach or suggest positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level. Therefore, Gong and Gill, individually or in combination, fail to teach or suggest all of the limitations of claim 46 as amended herein.

Based on the foregoing discussion of Gong and Gill regarding claim 46, claim 46 should be allowable over Gong and Gill. Further, since claims 47 and 49 depend from claim 46, claims 47 and 49 should also be allowable over Gong and Gill.

It is further noted that the limitation added to claim 46 according to the current amendment includes a limitation found in previously presented dependent claim 51. With regard to claim 51, the Office Action cites Anderson et al. (U.S. Patent No. 6,215,618; hereinafter referred to as “Anderson”) and states, “the combination of Gong et al. and Gill et al. teach all the limitations of claim 46. However, the combination does not explicitly teach parking (or stopping) the head when the second evaluation parameter exceeds a predetermined level. Anderson in Figs. 5A and 5B teach performing multiple tries by means of comparison in order to determine if the head must be parked because the errors still exceed the predetermined level and claim the drive test as a failure.” *Office Action, page 4, lines 3–8*. Anderson does not teach or suggest, however, positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level. Anderson thus also fails to teach or suggest the limitations of claim 46 that Gong and Gill fail to teach or suggest. Claim 46 should therefore be allowable over the combination of Gong, Gill and Anderson.

It is therefore maintained that claims 46–47 and 49 should be allowable over the combination of Gong and Gill. Accordingly, it is submitted that the rejection of claims 46–47 and 49 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 48 and 50–53

On page 3 of the Office Action, claims 48 and 50–53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gong and Gill as applied to claim 46, and further in view of Anderson.

Based on the foregoing discussion of Gong and Gill regarding claim 46, and since claims 48 and 50–53 depend from claim 46, claims 48 and 50–53 should also be allowable over Gong and Gill.

Regarding claim 48, Anderson is cited for disclosing “wherein the first position is on a loading track.” *Office Action, page 3, lines 14–15*. Even if Anderson discloses a first position on a loading track, Anderson fails to teach or suggest positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level. Anderson thus fails to teach or suggest all of the limitations of claim 48. Therefore, Gong, Gill and Anderson, individually or in combination, fail to teach all of the limitations of claim 48.

Regarding claim 50, Anderson is cited for disclosing “wherein the evaluation parameter is a flyheight.” *Office Action, page 3, lines 20–21*. Even if Anderson discloses an evaluation parameter as a fly height, Anderson fails to teach or suggest positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level. Anderson thus fails to teach or suggest all of the limitations of claim 50. Therefore, Gong, Gill and Anderson, individually or in combination, fail to teach all of the limitations of claim 50.

Regarding claim 51, Anderson is cited for disclosing “parking (or stopping) the head when the second evaluation parameter exceeds a predetermined level. Anderson in Figs. 5A and 5B teach performing multiple tries by means of comparison in order to determine if the head must be parked because the errors still exceed the predetermined level and claim the drive test as a failure.” *Office Action, page 4, lines 3–8*. Even if Anderson discloses parking a head and performing multiple tries, Anderson fails to teach or suggest positioning the read head to a second position over a reserved

track when the evaluation parameter does not exceed the predetermined level. Anderson thus fails to teach or suggest all of the limitations of claim 51. Therefore, Gong, Gill and Anderson, individually or in combination, fail to teach all of the limitations of claim 51.

Regarding claim 52, Anderson is cited for disclosing "moving the head for normal operation when the second operation does not exceed the predetermined level." *Office Action, page 4, lines 10-11*. Even if Anderson discloses moving a head for normal operation, Anderson fails to teach or suggest positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level. Anderson thus fails to teach or suggest all of the limitations of claim 52. Therefore, Gong, Gill and Anderson, individually or in combination, fail to teach all of the limitations of claim 52.

Regarding claim 53, Anderson is cited for disclosing "wherein the second evaluation is a soft error rate." *Office Action, page 4, lines 10-11*. Even if Anderson discloses a second evaluation as a soft error rate, Anderson fails to teach or suggest positioning the read head to a second position over a reserved track when the evaluation parameter does not exceed the predetermined level. Anderson thus fails to teach or suggest all of the limitations of claim 53. Therefore, Gong, Gill and Anderson, individually or in combination, fail to teach all of the limitations of claim 53.

It is therefore maintained that claims 48 and 50-53 should be allowable over the combination of Gong, Gill and Anderson. Accordingly, it is submitted that the rejection of claims 48 and 50-53 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

New Claims 54-55

New dependent claims 54-55 have been added for further clarification of the reserved track.

Conclusion

In view of the foregoing, entry of this amendment and the allowance of this application with claims 46-55 are respectfully solicited.


With regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-2075.

Respectfully submitted,
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